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15-DAY PUBLIC NOTICE AND COMMENT PERIOD NOTICE OF PUBLIC AVAILABILITY OF POST-HEARING CHANGES

ALTERNATIVE MANAGEMENT STANDARDS FOR TREATED WOOD WASTE

Department of Toxic Substances Control Reference Number: R-2005-04
Office of Administrative Law Notice File Number: Z-06-1113-01

Pursuant to Government Code section 11346.8, subdivision (c), notice is hereby given that the Department of Toxic Substances Control (DTSC) has revised the text of the proposed regulations, clarifying the training requirements and types of solid waste facilities eligible to accept treated wood waste. In addition, minor formatting edits have been made. Commenters during the 45 public comment period questioned the applicability of the training requirements. Health and Safety Code section 25150.7(g)(2)(F) requires specified training for all employees and the revised text reflects more clearly the training applicability. Commenters requested that the types of solid waste facilities eligible to accept treated wood waste should include additional solid waste activities. DTSC consulted with the California Integrated Waste Management Board staff and the revised text reflects the addition of "Limited Volume Transfer Operations (<60 cubic yards or 15 tons per day)" and "Small Construction and Demolition/Inert Debris Processing Operations (<25 tons per day)" to the types of solid waste facilities eligible to be treated wood waste facilities. A written comment period has been established commencing on March 1, 2007, and closing on March 16, 2007.

DTSC mailed the original text and made it available for public review and comment on November 24, 2006. A public hearing was held on January 8, 2007 during which written and oral testimony was accepted. In addition, written comments were accepted during the 45-day public comment period that ended January 8, 2007. DTSC has now made post-hearing changes to the proposed text. DTSC has determined that these changes do not impact the finding of the previously proposed Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA). The public notice for the Negative Declaration was published on November 3, 2006 and the 30 day public comment period for that document ended on December 4, 2006.

DTSC considers these new changes to the rulemaking to be sufficiently related changes, as defined by California Code of Regulations, title 1, section 42. This notice includes all revisions made to the text since those indicated during the original public comment period. Notice is given that any interested persons may submit comments

regarding these revisions and only these revisions of the text by e-mail to regs@dtsc.ca.gov or by mail to:

Regulations Coordinator
Department of Toxic Substances Control
Regulations Section
P.O. Box 806
Sacramento, CA 95812-0806

Written comments submitted prior to 5:00 p.m. on March 16, 2007, will be considered.

A copy of the revised text is attached. The bold/strike through and the bold/double underline text represents the most current revisions to the text. The information upon which DTSC relied is available for public inspection between 8:00 a.m. and 5:00 p.m. at the Regulations Section, located on the 22nd Floor at 1001 I Street, Sacramento, California. Requests and inquiries concerning this matter may be directed to the Regulations Coordinator, Regulations Section, at the address indicated above or by telephone at (916) 322-6409. If the Regulations Coordinator is unavailable, telephone the Chief of the Regulations Section at (916) 327-4508.

Inquiries regarding technical aspects of the proposed alternative considered should be directed to Mr. William Beckman, of the Hazardous Waste Management Program, DTSC, at (916) 324-8293 or, if unavailable, Ms. Evelia Rodriguez at (916) 322-3810. However, such oral inquiries are not part of the rulemaking record.